

GOVERNMENT OF TELANGANA
A B S T R A C T

Public Servants - Transport Department - Allegation of Corruption against Sri Bukya Jagan Naik Arya, Senior Assistant, O/o Dy.Transport Commissioner & Secretary, Regional Transport Authority, Ranga Reddy District at Attapur - Trapped on 22.01.2014 -Sanction of Prosecution - Accorded - Orders - Issued.

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TRANSPORT,ROADS & BUILDINGS [Tr. SER.&VIG.2] DEPARTMENT

G.O.MS.No. 29

Dated: 05.08.2015

O R D E R :

1. WHEREAS, Sri Bukya Jagan Naik Arya, worked as Senior Assistant at O/o Dy.Transport Commissioner & Secretary, Regional Transport Authority, Ranga Reddy District at Attapur, during the period from 16.07.2011 to 22.01.2014 and by virtue of the post held by him, he falls under the category of a Public Servant as defined under Section 2 (C) of Prevention of Corruption Act, 1988;

2. AND WHEREAS, it is alleged that Sri Mohd. Moinuddin, S/o Md.Khasim, age 43 years, R/o H.No.1-7-17/A, Risala Khurshid Jah, Musheerabad, Hyderabad is doing travel business for the last 20 years. He purchased a bus bearing Reg.No.AP-28-TB-4545 in October 2013 for Rs. 6,10,000/- in an auction conducted by Shriram Transport Finance Corporation Ltd., Tarnaka, Hyderabad, which was seized by them on 26.01.2013. In order to get change of owners address in Registration Certificate at Warangal RTA Office, Sri Mohd. Moinuddin applied for clearance certificate at RTA Office, Ranga Reddy District at Attapur. The RTA Officials asked him to pay tax of Rs.5,43,380/- including the tax for bus seizure period. On which, Sri Mohd.Moinuddin filed a writ petition in Hon'ble High Court of A.P., and as per the court direction, the officials of RTA Office, Ranga Reddy District at Attapur, calculated the tax amount and asked him to pay Rs.2,68,500/- for the period from October 2013 to March 2014. Accordingly, Sri Mohd. Moinuddin paid that amount through DDs on 16.2.2014 and handed over the DDs at RTA Office, Ranga Reddy District at Attapur. As per the instructions of Sri C.Ramesh, Deputy Transport Commissioner, RTA, Ranga Reddy District , on 17.1.2014, Sri Mohd. Moinuddin handed over Form-28 issued by Shriram Transport Finance to Sri Bukya Jagan Naik Arya, Sr.Asst., O/o DTC & Secretary, RTA, Ranga Reddy District to issue NOC [Clearance Certificate] to RTA, Warangal. Then, Sri Bukya Jagan Naik Arya demanded Rs. 50,000/- as bribe from Sri Mohd. Moinuddin to hand over Clearance Certificate. When Sri Mohd. Moinuddin expressed his inability to pay the amount and on request, Sri Bukya Jagan Naik Arya reduced the bribe amount to Rs.30,000/- and informed Sri Mohd. Moinuddin that if the bribe amount of Rs.30,000/- is paid to him, then only he would give him R.C.book and Clearance Certificate of the vehicle. Sri Mohd.Moinuddin reluctantly agreed to pay the bribe amount to Sri Bukya Jagan Naik Arya on the next day. As Sri Mohd.Moinuddin was not willing to pay the bribe amount to Sri Bukya Jagan Naik, Sr.Asst., he submitted a written report addressed to Inspector of Police, Anti Corruption Bureau, Ranga Reddy District to take necessary action against Sri Bukya Jagan Naik Arya, Sr.Asst. After conducting confidential enquiries with regard to the veracity of the complaint and reputation of

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Sri Bukya Jagan Naik Arya, Senior Asst., a case in Cr.No.3/RCT-HR/2014, Under Section 7 of Prevention of Corruption Act, 1988 was registered by the Deputy Superintendent of Police, Anti Corruption Bureau, Hyderabad Range, Hyderabad and on 22.01.2014 at 11.45 hours, duly obtaining permission from the Competent Authority and investigated into and made necessary arrangements for laying trap after duly completing all legal formations;

3. AND WHEREAS, on the date of trap i.e., on 22.01.2014 at 14.45 hours, when Sri Mohd.Moinuddin approached Sri Bukya Jagan Naik Arya, Sr.Asst., at O/o Deputy Transport Commissioner & Secretary, RTA, Ranga Reddy District at Attapur and enquired about fresh R.C. and Clearance Ceertificate of his vehicle, Sri Bukya Jagan Naik Arya, enquired with Sri Mohd.Moinuddin whether he brought the demand bribe amount of Rs.30,000/- or not. On his positive reply, Sri Bukya Jagan Naik Arya, asked him to wait for some time for preparation and handing over the documents. Accordingly Sri Mohd.Moinuddin waited near the counter of Sri Bukya Jagan Naik Arya. After 40-45 minutes, Sri Bukya Jagan Naik Arya, called Sri Mohd.Moinuddin to his counter and handed over the Registration Certificate and No Objection Certificate to him and instructed him to hand over the bribe amount to Sri G.Narsimha Ramesh @ Suman, RTA Agent who called him by name Suman who is available at his counter. Sri Bukya Jagan Naik Arya, also instructed Sri G.Narasimha Ramesh @ Suman to receive the amount from Sri Mohd.Moinuddin by taking him outside the office. As such Sri Mohd.Moinuddin accompanied Sri G.Narsimha Ramesh @ Suman to the corridor of the office, where Sri G.Narsimha Ramesh @ Suman asked him to give the amount. Accordingly, Sri Mohd.Moinuddin took out the tainted currency notes from his left side shirt pocket with his right hand and handed over to Sri G.Narsimha Ramesh @ Suman who received the tainted amount with his right hand, counted with both the hands and kept it in the right side pocket of his wearing pant. Then Sri Mohd.Moinuddin gave the pre-arranged signal to the trap party. The chemical test conducted over both the hands of Sri G. Narsimha Ramesh @ Suman and the inner linings of the right side pocket of wearing pant of Sri G.Narsimha Ramesh @ Suman which came into contact with the tainted currency yielded positive result. The tainted amount of Rs.30,000/- was recovered from the right side pocket of the wearing pant of Sri G.Narsimha Ramesh @ Suman at his instance. During investigation, the DSP, ACB, Hyderabad range, seized the (3) files pertaining to issue of fresh R.C. and N.O.C. to Sri Mohd.Moinuddin from the possession of Sri Bukya Jagan Naik Arya, Sr.Asst;

4. AND WHEREAS, the afore said acts of Sri Bukya Jagan Naik Arya, Senior Asst., O/o Deputy Transport Commissioner & Secretary, Regional Transport Authority, Ranga Reddy District at Attapur, constitute the offence punishable under section 7, 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988.

5. AND WHEREAS, the Government of Telangana being the Competent Authority to remove Sri Bukya Jagan Naik Arya, Sr.Asst., from Government service, after fully and carefully examining the material (copies of FIR, pre-trap & post trap proceedings, Final Report of Director, ACB, Telangana State etc.,) and other material placed before them and having applied their mind to the fact in respect of the said allegations and circumstances of the case, consider that Sri Bukya Jagan Naik Arya, Senior Asst., O/o Deputy

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Transport Commissioner & Secretary, Regional Transport Authority, Ranga Reddy District at Attapur, should be prosecuted in a Court of Law for the aforesaid offences.

6. NOW THEREFORE, in exercise of the powers conferred by Clause (b) of sub-section (1) of Section 19 of the Prevention of Corruption Act, 1988, (Central Act 49 of 1988), the Government of Telangana hereby accord sanction for the Prosecution of the said Sri Bukya Jagan Naik Arya, Senior Asst., O/o DTC & Secretary, RTA, Ranga Reddy District at Attapur, for the above said offences punishable under section 7 and clause (d) of sub section (1) of section 13 read with sub section (2) of section 13 of Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a Court of Competent Jurisdiction.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA]

SUNIL SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director General, Anti Corruption Bureau, Telangana, Hyderabad.
The Transport Commissioner, Telangana, Hyderabad. He is requested to serve the G.O. on the individual and furnish a served copy of the Dated Acknowledgement to the Government for record.
The above named individual through the Transport Commissioner, Telangana, Hyderabad.

Copy to :

The Asst. Secretary to Vigilance Commissioner, Telangana Vigilance Commission, Hyderabad.
The Law (A) Department.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER.